

In re: Koch et al.  
Serial No.: 10/798,129  
Filed: March 11, 2004  
Page 6 of 11

### REMARKS

Applicants appreciate the continued thorough examination of the present application that is reflected in the final Official Action of July 27, 2005. Applicants also appreciate the Examiner's indication that all previous rejections have been withdrawn, and Applicants appreciate the Examiner's new citation of U.S. Patent 6,208,713 to Rahrer et al. Applicants have now studied Rahrer et al., and have amended Claim 16 to incorporate therein the recitations of Claim 23. No new issues are raised by this amendment, because it merely incorporates the recitations of the dependent claim into an independent claim. Applicants respectfully submit that all of the pending claims are patentable over Rahrer et al. for the reasons that now will be described.

#### The Claim Objections Have Been Overcome

Claim 28 has been amended to eliminate the clear typographical error noted in the final Official Action, by making Claim 28 depend from independent Claim 26, rather than from nonexistent Claim 29. Applicants regret the typographical error.

Upon review, Applicants also noted a typographical error in Claim 13, and have amended Claim 13 to correct this typographical error by amending "director" to "directory".

#### Independent Claim 10 Is Patentable Over Rahrer et al.

Independent Claim 10 stands rejected under 35 USC §102(e) as being anticipated by Rahrer et al. The Examiner cites Figures 2 and 4 of Rahrer et al. Applicants note that Figure 2A of Rahrer et al. includes a block 100 that states "WAIT TILL END OF CALL" and Claim 10 recites "asking the originator whether to update the VAD directory at the end of the call to the call destination number." However, the end-of-call processing described in Figures 2 and 4 of Rahrer et al. is significantly different from the end-of-call processing recited in Claim 10. In particular, as noted in Rahrer et al. Column 7, lines 25-49:

Thus, the dial directory is searched for a record corresponding to the called party. If a corresponding record is not found in the personal or dial directories, block 100 directs the microprocessor 16 to wait until the end of the call.

In re: Koch et al.  
Serial No.: 10/798,129  
Filed: March 11, 2004  
Page 7 of 11

At the end of the call, when no corresponding record is found in the dial directory, block 104 directs the microprocessor 16 to store the number received from the keypad in the number field of the last record in the dial directory 50. Even if the last record in the directory contains data, such data is overwritten with the last called number. This is effected by copying the contents of the dial buffer 82 into the number field 54 of the last record in the dial directory. Upon copying the contents of the dial buffer 82, the contents of the frequency of use field 56 are set to 1. The microprocessor thus acts as an adder for adding a record to the dial directory.

Block 106 then directs the microprocessor 16 to re-sort the dial directory 50 based on the contents of the frequency of use fields 56 of the records. The microprocessor thus acts as a sorter. The records are sorted in descending order of frequency such that the record having the most frequently dialled number is the first record in the dial directory 50 and the record having the least frequently dialled number is the last record. (Emphasis added.)

As this passage clearly illustrates, in Rahrer et al., the dial directory is searched for a record corresponding to the called party. If the corresponding record is not found, then, at the end of the call, the microprocessor stores the number received from the keypad into the number field of the last record in the dial directory. The dial directory is then prioritized. Accordingly, Rahrer et al. describes a technique for automatically inputting a dialed number into a dial directory. In sharp contrast, Claim 10 recites:

...asking the originator whether to update the VAD directory at the end of the call to the call destination number; receiving an instruction to update the VAD directory in response to the asking; receiving from the originator a VAD command for the call destination number after receiving the instruction.... (Emphasis added.)

Thus, the automatic processing described in Rahrer et al. sharply contrasts from the back and forth asking and receiving that is described in the above-quoted recitations of Claim 10.

For the sake of completeness, Applicants wish to note that Column 7, lines 50-60 of Rahrer et al. describe user prompts as follows:

Block 108 then directs the microprocessor 16 to search the frequency fields 56 of each record in the dial directory 50 to determine whether or not any frequency fields 56 have contents greater than a pre-defined value n. If none meets this criteria, the dial algorithm 90 is completed. If a record meets this criteria, block

In re: Koch et al.  
Serial No.: 10/798,129  
Filed: March 11, 2004  
Page 8 of 11

110 directs the microprocessor 16 to load into the pointer register 84 the address of that record and control of the microprocessor 16 is directed to the add algorithm at location B which prompts the user to indicate whether or not the record should be transferred to the personal directory. (Emphasis added.)

However, this paragraph relates to a search that is performed of each record in the dial directory to determine whether or not any frequency fields have contents greater than a predefined value. Prompts are then sent to the user to determine whether a record that has a greater frequency should be transferred to a personal directory. Again, however, the above-quoted recitations of Claim 10 are not described or suggested.

Figure 4 of Rahrer et al. does not include an end-of-call block, and generally relates to an add algorithm to add to the personal directory new records obtained from the dial directory. As noted in Rahrer et al. Column 9, lines 22-25:

The Add algorithm 150 is invoked upon receipt of an add key interrupt from the add key 42 on the keypad 26 or a call from the dial, incoming or voice recognition algorithms.

As also noted in Rahrer et al. Column 9, lines 26-33:

Upon invoking the Add algorithm 150, block 152 directs the microprocessor 16 to prompt the user to indicate whether or not the last dialled number or the last received CLID information is to be added as a record to the personal directory 70. The microprocessor prompts the user by writing to the display 36 appropriate indicia requesting user input and by writing to the audio prompter 34 a data packet or sound clip which causes the audio prompter to sound a prompt such as "LAST CALL".

Accordingly, this processing does not take place at the end of the call but, rather, takes place upon an interrupt. Thus, Figures 4A and 4B appear to teach away from the recitations of Claim 10.

For at the least the reasons described above, Claim 10 is neither anticipated by nor obvious in view of Rahrer et al. Accordingly, Applicants respectfully request withdrawal of the rejection of Claim 10.

Dependent Claims 11-15, 21 and 24 are patentable at least per the patentability of Claim 10 from which they depend. Moreover, many of the dependent claims are separately patentable. For example, Claim 13 recites:

13. The method of Claim 12, wherein the profile of the originator comprises more than one address for the VAD directory; and

In re: Koch et al.  
Serial No.: 10/798,129  
Filed: March 11, 2004  
Page 9 of 11

wherein updating the VAD directory with the update comprises using all of the addresses of the VAD directory to update the VAD directory.

Respectfully, Rahrer et al. does not appear to describe or suggest updating multiple addresses for VAD directories. The final Official Action cites Rahrer et al. Figures 1, 11 and 12. However, Rahrer et al. Figure 1 does not appear to show multiple addresses of VAD directories. Figures 11 and 12 also do not appear to show multiple directories per call originator. In particular, in Figure 11, the "NUMBER NAME" boxes 278, 280 are displays for the respective telephones, whereas the "NAME/NUMBER STORE" 302 constitutes a single look-up directory and the "NUMBER/NAME" 294 is simply a dial buffer in RAM. Accordingly, Figure 11 of Rahrer et al. appears to show a single directory. Similarly, Figure 12 of Rahrer et al. appears to show a single look-up directory 318, 320 per user, as described at Column 17, lines 13-25 of Rahrer et al. Accordingly, multiple directories also are not shown. For at least these reasons, Claim 13 is independently patentable.

**Claim 16 Is Patentable Over Rahrer et al.**

As was noted above, Claim 16 has been amended to incorporate therein the recitations of Claim 23. Accordingly, Claim 16 now recites:

...wherein the at least one characteristic of the call destination number other than the call destination number itself comprises a name associated with a call destination number....

In rejecting Claim 23, the final Official Action cites Rahrer et al. Column 16 and 17. However, this passage appears to teach away from the recitations of amended Claim 16. In particular, Rahrer et al. Column 16, lines 9-27 recites:

Referring to FIG. 9, in a third embodiment of the invention, the records in the dial directory include a name field 253 in addition to the number and frequency fields 54 and 56 discussed in connection with the first embodiment. Referring to FIG. 10, in this alternative embodiment the dial routine shown in FIG. 2, includes an additional sequence of instructions between blocks 98 and 100. This additional sequence of instructions is shown at 253 in FIG. 10 and includes block 255 which queries the telephone network, ie. the central office, for the name of the party associated with the telephone number dialled by the user. The central office responds with the corresponding name in a CLID format which is received by the CLID receiver and handled by the microprocessor at block

In re: Koch et al.  
Serial No.: 10/798,129  
Filed: March 11, 2004  
Page 10 of 11

257. Block 259 directs the microprocessor to deposit into the name field (253 in FIG. 9) of the corresponding record in the dial directory, the name information received from the network. This eliminates the need for the user to painstakingly enter the names of called parties. (Emphasis added.)

As shown above, this passage indicates that a telephone number is provided, and a search is then made for the name that corresponds to the telephone number. In sharp contrast, in amended Claim 16, a name is provided, and a search is performed for the telephone number that is associated with the name. Accordingly, Claim 16 is neither anticipated by nor obvious in view of Rahrer et al. Dependent Claims 17, 19-20, 22 and 25 are patentable at least per the patentability of the independent claim from which they depend.

**Claim 26 Is Patentable Over Rahrer et al.**

Claim 26 is patentable for the same reasons that were described above in connection with Claim 10. This analysis will not be repeated for the sake of brevity. Moreover, dependent Claims 27-28 are patentable at least per the patentability of Claim 26 from which they depend.

**Examiner Interview Summary Record Pursuant To MPEP §713.04**

Applicants also wish to note that a telephone interview was conducted by the undersigned with the Examiner on July 15, 2005. During the interview, the Amendment of July 15, 2005 was presented and discussed. No agreement was reached but, rather, the Examiner indicated he would consider Applicants' arguments. Applicants appreciate the courtesies that were extended by the Examiner to the undersigned during the telephone interview. The above shall constitute a complete summary of the telephone interview pursuant to MPEP §713.04.

**Conclusion**

Applicants again appreciate the thorough examination and the new citation of Rahrer et al. However, Applicants have now shown that the claims are neither anticipated by nor obvious in view of Rahrer et al. For at least these reasons,

In re: Koch et al.  
Serial No.: 10/798,129  
Filed: March 11, 2004  
Page 11 of 11

Applicants respectfully request withdrawal of the outstanding rejections and allowance of the present application.

Respectfully submitted,

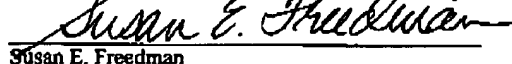


Mitchell S. Bigel  
Registration No. 29,614  
Attorney for Applicants

Customer Number 39072  
Myers Bigel Sibley & Sajovec, P.A.  
P.O. Box 37428  
Raleigh, NC 27627  
919-854-1400  
919-854-1401 (Fax)

**CERTIFICATION OF FACSIMILE TRANSMISSION  
UNDER 37 CFR § 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office via facsimile number 571-273-8300 on September 8, 2005.



Susan E. Freedman

Date of Signature: September 8, 2005